

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CONSTELLATION NEWENERGY, INC. : CIVIL ACTION  
: .  
v. : .  
: .  
POWERWEB, INC. : NO. 02-2733

ORDER

AND NOW, this day of August, 2004, it is hereby  
ORDERED that:

- (1) the motion in limine by plaintiff Constellation NewEnergy, Inc. to preclude evidence related to the "Exclusive Powerweb Technologies Customer Marketing Agreement" is GRANTED in part and DENIED in part;
- (2) Powerweb, Inc. is precluded from making a claim for breach of the contract denominated as the "Exclusive Powerweb Technologies Customer Marketing Agreement;" and
- (3) Powerweb, Inc. shall be permitted to introduce the document entitled "Exclusive Powerweb Technologies Customer Marketing Agreement" and evidence related thereto only to the extent relevant to the remaining claims stated in its amended counterclaim.

BY THE COURT:

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J.